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PATENT

S/N 10/066,967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECHNOLOGY CENTER R3700

Applicant:	KNUDSON ET AL.	Examiner:	UNKNOWN
Serial No.:	10/066,967	Group Art Unit:	UNKNOWN
Filed:	FEBRUARY 4, 2002	Docket No.:	13033.5US01
Title:	PHARYNGEAL WALL TREATMENT		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the paper(s), as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on April 11, 2002.

By:

*Alfred E. Williams*  
ALFRED E. WILLIAMS

#2

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

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as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

P.O. Box 2903

Minneapolis, Minnesota 55402-0903

(612) 332-5300

Date:

4/11/02

David G. Schmaltz

Reg. No. 39,828

DGS:PST:aew



<b>FORM 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13033.5US01	Application Number: 10/066,967
	Applicant: KNUDSON ET AL.	
	Filing Date: 02/04/2002	Group Art Unit: UNKNOWN

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### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,998,209	12/21/1976	Macvaugh			
	4,803,075	02/07/1989	Wallace et al.			
	4,830,008	05/16/1989	Meer			
	4,978,323	12/18/1990	Freedman			
	5,046,512	09/10/1991	Murchie			
	5,052,409	10/01/1991	Tepper			
	5,133,354	07/28/1992	Kallok			
	5,158,080	10/27/1992	Kallok			
	5,176,618	01/05/1993	Freedman			
	5,178,156	01/12/1993	Takishima et al.			
	5,190,053	03/02/1993	Meer			
	5,204,382	04/20/1993	Wallace et al.			
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	5,284,161	02/08/1994	Karell			
	5,421,406	06/06/1995	Furusawa et al.			
	5,456,662	10/10/1995	Edwards et al.			
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	Applicant: KNUDSON ET AL.	
	Filing Date: 02/04/2002	Group Art Unit: UNKNOWN

	5,843,021	12/01/1998	Edwards et al.			
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	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 706 808 A1	04/17/1996	EP				
	11-33120	09/02/1999	JP				X
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	1553140 A1	03/30/1990	SU			Abstract	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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	Badr, M. "Effect of ventilatory drive on upper airway patency in humans during NREM sleep", <i>Respiration Physiology</i> , Vol. 103, No. 1, pp. 1-10 (1996)
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	Boudewyns, A. et al., "Temperature-controlled Radiofrequency Tissue Volume Reduction of the Soft Palate (Somnoplasty®) in the Treatment of Habitual Snoring: Results of a European Multicenter Trial", <i>Acta Otolaryngol</i> , Vol. 120, pp. 981-985 (2000)
	Brietzke, S. et al., "Injection snoreplasty: How to treat snoring without all the pain and expense", <i>Otolaryngology-Head and Neck Surgery</i> , pp. 503-510 (May 2001)

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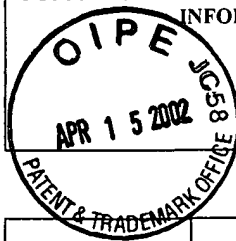
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<b>FOR PTO 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13033.5US01	Application Number: 10/066,967
	Applicant: KNUDSON ET AL.	
	Filing Date: 02/04/2002	Group Art Unit: UNKNOWN

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		Collard, P. et al., "Why Should We Enlarge the Pharynx in Obstructive Sleep Apnea?", <i>Sleep</i> , Vol. 19, No. 9, pp. S85-S87 (1996)
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	Stauffer, J. et al., "Pharyngeal Size and Resistance in Obstructive Sleep Apnea", <i>Amer Rev of Respir Disease</i> , Vol. 136, No. 3, pp. 622-627 (September 1987)
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Applicant: KNUDSON ET AL.  
Serial No.: 10/066,967  
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Examiner: UNKNOWN  
Group Art Unit: UNKNOWN  
Docket: 13033.5US01

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on April 11, 2002.

By: Alfred E. Williams  
Name: ALFRED E. WILLIAMS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 81 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

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P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: David G. Schmaltz  
Name: David G. Schmaltz  
Reg. No.: 39,828  
DSchmaltz:PSTaew



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